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6 Proposed Attorneys for John J. Menchaca,  
Chapter 7 Trustee

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9 Los Angeles, CA 90017  
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10 Chapter 7 Trustee  
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13 **UNITED STATES BANKRUPTCY COURT**  
14 **CENTRAL DISTRICT OF CALIFORNIA**  
15 **LOS ANGELES DIVISION**

16 In re  
17 HOUSE RESEARCH INSTITUTE, a  
California non-profit public benefit  
18 corporation fka HOUSE EAR INSTITUTE,  
19 Debtor.  
20  
21  
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Case No. 2:14-bk-21532-TD

Chapter 7

**CHAPTER 7 TRUSTEE'S NOTICE OF  
APPLICATION AND APPLICATION TO  
EMPLOY DANNING, GILL, DIAMOND  
& KOLLITZ, LLP AS GENERAL  
BANKRUPTCY COUNSEL; AND  
STATEMENT OF DISINTERESTEDNESS**

[No Hearing Required]

24 **TO THE HONORABLE THOMAS B. DONOVAN, UNITED STATES BANKRUPTCY**  
25 **JUDGE, AND INTERESTED PARTIES:**

26 **PLEASE TAKE NOTICE** that John J. Menchaca, the Chapter 7 trustee (the "Trustee" or  
27 "Applicant") for the estate of House Research Institute, a California non-profit public benefit  
28 corporation, fka House Ear Institute (the "Debtor"), seeks an order authorizing him to employ

1 Danning, Gill, Diamond & Kollitz, LLP as his general bankruptcy counsel (the "Application"), at  
2 the expense of the estate, effective as of June 13, 2014.

3 The Application is based upon this notice of Application, the attached Application, the  
4 complete files and records of this case, the attached Statement of Disinterestedness, and upon such  
5 other evidentiary matters as may be presented to the Court.

6 **PLEASE TAKE FURTHER NOTICE** that pursuant to Local Bankruptcy Rule 9013-  
7 1(o)(1), any objection must be in writing and a hearing requested in the form required by the Local  
8 Bankruptcy Rules and be filed and served within 17 days from the date of the service of this notice.  
9 Any response or opposition to the Application and the request for hearing must be filed with the  
10 Bankruptcy Court and served on the United States Trustee, at 915 Wilshire Blvd., Suite 1850, Los  
11 Angeles, CA 90017, the Trustee at his address on the upper left-hand corner of this Notice, and the  
12 Trustee's proposed counsel, Uzzi O. Raanan, at Danning, Gill, Diamond & Kollitz, LLP, 1900  
13 Avenue of the Stars, 11th Floor, Los Angeles, CA 90067-4402.

14 If you fail to file a written response in accord with these requirements, the Court may treat  
15 such failure as a waiver of your right to oppose the Application and may grant the requested relief.

16  
17 DATED: June 20, 2014

DANNING, GILL, DIAMOND & KOLLITZ, LLP

18  
19 By: 

20 UZZI O. RAANAN

21 Proposed Attorneys for John J. Menchaca,  
22 Chapter 7 Trustee  
23  
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25 DATE OF MAILING: June 20, 2014  
26  
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**MEMORANDUM OF POINTS AND AUTHORITIES**

John J. Menchaca, the Chapter 7 Trustee, represents as follows:

**A. The Bankruptcy Filing**

1. This case was commenced on or about June 12, 2014 (the "Petition Date"), when House Research Institute, a California non-profit public benefit corporation, fka House Ear Institute (the "Debtor") filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code (the "Code").

2. The Debtor is a non-profit 501(c)(3) organization based in Los Angeles, California, dedicated to advancing hearing science through research and education to improve quality of life. The Debtor was established in 1946 as the Los Angeles Foundation of Otology, and later renamed for its founder, the House Research Institute and has been engaged in the scientific exploration of the auditory system from the ear canal to the cortex of the brain for over 62 years.

3. John J. Menchaca accepted appointment as the Chapter 7 Trustee for the Debtor's estate.

4. The property of the estate as scheduled by the Debtor includes, among other, personal property consisting of bank accounts, interest in various charitable contributions (which appear to be pledges from endowment trusts), patents and intellectual property, paintings, medical books, miscellaneous art sculptures, an interest in a life insurance, accounts receivable, a 2001 Toyota Tacoma motor vehicle, machinery, fixtures and equipment, and manufactured Inventory (collectively the "Assets"). It has come to the Trustee's attention that at least some of the personal property identified in the Debtor's schedules may actually not belong to the Debtor, which expects to amend its schedules in the near future.

**B. The Debtor's Assets**

5. Applicant's preliminary investigation has revealed that, among the assets scheduled by the Debtor and as disclosed in its Statement of Financial Affairs, were transfers in the total amount of \$526,565.50, that the Debtor made within 90 days before the petition date (collectively

1 the "Transfers"). The Trustee intends to investigate whether grounds exist to avoid and recover the  
2 Transfers for the benefit of the estate and its creditors.

3 6. Moreover, the Trustee has learned that shortly before the petition date, the Debtor's  
4 sole secured creditor, California National Bank ("CNB") assigned all of its rights against the  
5 Debtor to a buyer (the "Buyer"), who then reached an agreement with the Debtor under which the  
6 Debtor's most valuable asset, a 99-year leasehold in real property, along with much of the Debtor's  
7 personal property, were assigned to the Buyer. The Trustee is investigating the circumstances of  
8 this transaction, as well as the assets remaining with the Debtor thereafter. For example, it is  
9 currently unclear whether the patents owned by the Debtor prepetition were assigned to the Buyer.

10 7. The Debtor's schedules identify various interests in charitable contributions, which  
11 appear to associated with endowment funds. The Trustee will need to investigate the terms and  
12 conditions of these endowment donations, and whether under California law the funds are available  
13 to pay the Debtor's creditors.

14 8. Applicant has also been made aware that as part of its research work, the Debtor  
15 obtained various types of human tissue, including human body parts, which must be handled and  
16 disposed under strict legal requirements.

17  
18 **C. The Proposed Retention of General Bankruptcy Counsel**

19 9. Applicant has determined that it was and continues to be necessary and appropriate  
20 to immediately retain general legal counsel to assist and advise the Trustee with respect to legal  
21 issues concerning various matters including, without limitation, the following:

22 A. to aid the Trustee in investigating the Debtor's financial affairs and  
23 transactions;

24 B. To research legal requirements and aid the Trustee in disposing of the human  
25 tissue currently held at the Debtor's premises;

26 C. to investigate the Debtor's assets, if any, and to advise the Trustee of his  
27 rights and remedies with respect thereto and, when and where appropriate, to aid the Trustee in  
28 selling or abandoning the assets;

1 D. to investigate the nature, extent, and avoidability of any liens and  
2 encumbrances, affecting the assets;

3 E. To attempt to negotiate a carve out from the Buyer;

4 F. To research legal issues, and advise the Trustee with regard to various issues,  
5 including with regard to the Debtor's interests in endowed funds;

6 G. if appropriate, to conduct examinations of the Debtor and/or other sources  
7 pursuant to Federal Rule of Bankruptcy Procedure 2004, to obtain additional documentation and  
8 other information regarding the assets and the Debtor's financial affairs, including information  
9 pertaining to any type of preferential and/or fraudulent transfers;

10 H. to investigate pre- and post-petition transfers, the Transfers and, if  
11 appropriate, pursue adversary proceedings to recover estate property and/or avoid fraudulent and  
12 preferential pre- or post-petition transfers;

13 I. to investigate and locate any undisclosed assets of the estate and recover the  
14 assets, if necessary or beneficial to the estate;

15 J. to review claims and prosecute claim objections if appropriate, to the extent  
16 that funds are generated for the estate;

17 K. to advise Applicant as to any and all other legal matters that might arise in  
18 this Chapter 7 case; and

19 L. to conduct such other investigations and take such other legal actions that  
20 may be necessary and appropriate.

21 10. Applicant proposes to retain the law firm of Danning, Gill, Diamond & Kollitz, LLP  
22 ("Danning-Gill" or the "Firm") as his general counsel, effective as of June 13, 2014.

23 11. Danning-Gill specializes in bankruptcy practice and is well able to perform the  
24 required legal services. Danning-Gill is experienced in debtor/creditor matters including, among  
25 other things, the representation of bankruptcy trustees and various interested parties who appear in  
26 bankruptcy cases. Danning-Gill is competent to perform the requisite legal services in this  
27 bankruptcy case. Danning-Gill's breadth of experience and length of service in the legal  
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1 community is described in its firm resume, a copy of which is attached as Exhibit "1" to the  
2 Statement of Disinterestedness ("Statement"), filed with this application and incorporated herein.

3 12. The lawyers affiliated with Danning-Gill have practiced in bankruptcy courts for  
4 many years. Danning-Gill has handled virtually every type of matter which may arise in the  
5 context of a bankruptcy case. Danning-Gill has been retained as attorneys for trustees in thousands  
6 of different bankruptcy cases. Danning-Gill and all of the lawyers affiliated with it who will work  
7 on this bankruptcy case are familiar with the Bankruptcy Code, Federal Rules of Bankruptcy  
8 Procedure and the Local Bankruptcy Rules. Danning-Gill will comply with the Bankruptcy Code  
9 and all applicable Rules in this bankruptcy case.

10 13. As of the date of the Application, to the best of Applicant's knowledge and after  
11 consideration of the disclosures in the attached to the Statement, Applicant believes that the Firm  
12 and all of its partners and associates are disinterested persons as that term is defined in 11 U.S.C.  
13 § 101(14), and neither the Firm nor any partners or associates of the Firm are connected with  
14 Applicant, the Debtor, its creditors, any other party in interest, their respective attorneys and  
15 accountants, or to this estate, and has no relation to any bankruptcy judge presiding in this district,  
16 the Clerk of the Court or any relation to the United States Trustee in this district, or any person  
17 employed at the Court or the Office of the United States Trustee, nor does the Firm or its attorneys  
18 represent or hold an adverse interest with respect to the Debtor, any creditor, or to this estate except  
19 to the extent that: (a) Danning-Gill has represented and continues to represent Mr. Menchaca as  
20 trustee in other unrelated bankruptcy cases; (b) attorney-trustees at Danning-Gill have retained Mr.  
21 Menchaca and his accountancy firm as their accountants solely in their capacities as trustees in  
22 unrelated cases; (c) attorneys at Danning-Gill (Richard K. Diamond and David A. Gill) are  
23 members of the panel of trustees for the Central District of California, and the Firm represents them  
24 in that capacity in some cases; and (d) members of Landau, Gottfried & Berger, LLP, Debtor's  
25 counsel, represent trustees at Danning-Gill solely in their capacity as trustees in other unrelated  
26 cases. Without limitation, Danning-Gill holds no pre-petition claim against the Debtor's estate.

1           14.     Danning-Gill believes that the matters disclosed in paragraph 13 above do not either  
2 affect its disinterestedness or create an adverse intent that would bar it from representing the  
3 Trustee in this case.


4           15.     Applicant proposes to compensate Danning-Gill on the following basis, except as  
5 the Court may otherwise determine and direct, after appropriate notice and hearing. Danning-Gill  
6 will apply to the Court under §§ 330 and 331 of the Bankruptcy Code for an allowance of fees and  
7 reimbursable expenses not more often than every 120 days. All applications of Danning-Gill for  
8 compensation will be heard upon notice to creditors and other parties-in-interest. Danning-Gill will  
9 accept such fees and reimbursement for expenses as may be awarded by the Court. As set forth in  
10 the Statement of Disinterestedness, Danning-Gill expects that its compensation will be based upon  
11 a combination of factors including, without limitation, its customary fees charged to clients who  
12 pay Danning-Gill monthly, as those fees are adjusted from time to time, the experience and  
13 reputation of counsel, the time expended, the results achieved, the novelty and difficulty of the  
14 tasks undertaken (including applicable time limitations) and the preclusion from other employment  
15 caused by its work in this bankruptcy case.

16           16.     Attached hereto collectively as Exhibit "2" and incorporated herein by this reference  
17 are schedules of the 2014 and current rates regularly charged by Danning-Gill to its private clients  
18 who pay on a monthly basis. Attached hereto collectively as Exhibit "3" and incorporated herein  
19 by this reference are lists of Danning-Gill's rates of reimbursement for expenses for 2014.

20           17.     There will be no oral or written employment agreement between Applicant and  
21 Danning-Gill, apart from this Application and the order entered upon this Application. The only  
22 source of payment of compensation for Danning-Gill will be from this estate, as may be approved  
23 and ordered paid by the Court after notice and hearing. No retainer has been paid or will be paid to  
24 Danning-Gill.

1 WHEREFORE, Applicant prays that the Court enter an order authorizing him to employ  
2 Danning-Gill as his general counsel, effective as of June 13, 2014, as an administrative expense in  
3 this bankruptcy case, and for such other and further relief as may be determined just and proper.  
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5 DATED: June 20, 2014  
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9 JOHN J. MENCHACA  
10 Chapter 7 Trustee  
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**STATEMENT OF DISINTERESTEDNESS FOR EMPLOYMENT  
OF PROFESSIONAL PERSON UNDER F.R.B.P. 2014**

1. Name, address and telephone number of the professional ("the Professional" or "Danning-Gill") submitting this Statement in support of the **Chapter 7 Trustee's Notice of Application and Application to Employ Danning, Gill, Diamond & Kollitz, LLP as General Bankruptcy Counsel:**

Danning, Gill, Diamond & Kollitz, LLP  
1900 Avenue of the Stars, 11<sup>th</sup> Floor  
Los Angeles, CA 90067-4402  
T: 310-277-0077  
F: 310-277-5735

Attached hereto as Exhibit "1" and incorporated by reference herein, is a copy of the firm resume for the Professional.

2. The services to be rendered by the Professional in this case are (specify): See Para. 9 in the within application

3. The terms and source of the proposed compensation and reimbursement of the Professional are (specify): See Para. 12 in the within application. See Exhibits "2" and "3" for rates.

4. The nature and terms of retainer (i.e., nonrefundable versus an advance against fees) held by the Professional are (specify): None

5. The investigation of disinterestedness made by the Professional prior to submitting this Statement consisted of (specify): Conflicts check

6. The following is a complete description of all of the Professional's connections with the Chapter 7 Trustee, the debtor, principals of the debtor, insiders, the debtor's creditors, any other party or parties-in-interest, and their respective attorneys and accountants, or any person employed in the Office of the United States Trustee (specify, attaching extra pages as necessary):

None except to the extent that:

(a) Danning-Gill has represented and continues to represent Mr. Menchaca as trustee in other unrelated bankruptcy cases;

(b) attorney-trustees at Danning-Gill have retained Mr. Menchaca and his accountancy firm as accountants solely in their capacities as trustees in unrelated cases;

(c) attorneys at Danning-Gill (Richard K. Diamond and David A. Gill) are members of the panel of trustees for the Central District of California, and the Firm represents them in that capacity in some cases; and

(d) Members of Landau, Gottfried & Berger, LLP, debtor's counsel, represents trustees at Danning-Gill solely in their capacity as trustees in other unrelated cases. Without limitation, Danning-Gill holds no pre-petition claim against the estate.

1 Danning-Gill believes that the matters disclosed in paragraph 6 above do not either affect its  
2 disinterestedness or create an adverse intent that would bar it from representing the Trustee in this  
debtor's case.

3 7. The Professional is not a creditor, an equity security holder or an insider of the  
4 debtor, except as follows (specify, attaching extra pages as necessary): None

5 8. The Professional is not and was not an investment banker for any outstanding  
security of the debtor.

6 9. The Professional has not been within three (3) years before the date of the filing of  
7 the petition herein, an investment banker for a security of the debtor, or an attorney for such an  
investment banker in connection with the offer, sale or issuance of any security of the debtor.

8 10. The Professional is not and was not, within two (2) years before the date of the  
9 filing of the petition herein, a director or officer or employee of the debtor or of any investment  
banker for any security of the debtor.

10 11. The Professional neither holds nor represents any interest materially adverse to the  
11 interest of the estate or of any class of creditors or equity security holders, by reason of any direct  
or indirect relationship to, connection with, or interest in, the debtor or any investment banker for  
12 any security of the debtor, or for any other reason, except as follows (specify, attaching extra pages  
as necessary): None

13 12. Name, address and telephone number of the person signing this Statement on behalf  
14 of the Professional and the relationship of such person to the Professional (specify):

15 Uzzi O. Raanan, Esq. (Partner through PC)  
16 Danning, Gill, Diamond & Kollitz, LLP  
17 1900 Avenue of the Stars, 11<sup>th</sup> Floor  
Los Angeles, CA 90067-4402  
18 T: 310-277-0077  
F: 310-277-5735

19 13. The Professional is not a relative or employee of the United States Trustee or a  
Bankruptcy Judge, except as follows (specify, attaching extra pages as necessary):

20 None

21 14. Total number of attached pages of supporting documentation:

22 Nine (9)  
23

24 15. After conducting or supervising the investigation described in Paragraph 5 above, I  
25 declare under penalty of perjury under the laws of the United States of America, that the foregoing  
is true and correct except that I declare that Paragraphs 6 through 11 are stated on information and  
26 belief.

27 Executed on June 20, 2014, at Los Angeles, California.

28   
Uzzi O. Raanan

EXHIBIT 1



DANNING, GILL, DIAMOND & KOLLITZ, LLP

1900 AVENUE OF THE STARS  
11<sup>TH</sup> FLOOR  
LOS ANGELES, CALIFORNIA 90067

(310) 277-0077 – TEL  
(310) 277-5735 – FAX

### FIRM RESUME

Danning, Gill, Diamond & Kollitz, LLP (the “Firm”) is a California limited liability partnership composed of several professional corporations, located in Los Angeles, California. The Firm has been engaged in the practice of law with an emphasis on debtor-creditor relations, bankruptcy and reorganization matters since 1953. Since 1981, its principal office has been located in Century City and is presently at 1900 Avenue of the Stars, 11<sup>th</sup> Floor, Los Angeles, California.

Within its area of debtor-creditor specialization, the Firm operates in three areas, focusing on (1) creditors’ rights and debtors’ rights, including the representation of lessors, lessees, creditors and creditors’ committees, the prosecution on creditors’ behalf of relief from stay actions, actions to determine non-dischargeability of debts under the Bankruptcy Code, and matters involving executory contracts and leases, out of court workouts, reorganizations and the like, (2) debtors’ estates, including representation of large Chapter 11 debtor estates, and (3) representation of chapter 7 and chapter 11 Trustees, State Court Receivers, assignees for the benefit of creditors and disbursing agents under chapter 11 plans or in out of court workouts. Members of the Firm are qualified to and do serve as State Court appointed Receivers and as chapter 7 and operating chapter 11 Trustees in the United States Bankruptcy Court for the Central District of California and in the Superior Courts of the State of California.

The Firm has represented numerous banks, title insurance companies, and other financial institutions, as well as representing corporations, partnerships, professional corporations, limited liability companies and individuals in work-outs, reorganizations, and liquidations of real estate (hotels, apartment buildings, office buildings, shopping centers, residential property and undeveloped property), construction, wholesale, retail, food service, and law firms, among others. Among other clients, the Firm has represented the City of Los Angeles, San Diego County Airport Authority, San Francisco Airport Authority, Time-Warner Entertainment Co. LP and its divisions and affiliates, including but not limited to Warner Bros. and Warner Home Video, and Turner Broadcasting System, Inc. and its divisions, affiliates and subsidiaries, in bankruptcy-related matters. It has in the past represented several professional (medical and legal) firms in creditor workouts and reorganizations.

The Firm has represented many debtors in chapter 11 reorganization, including MMPI and its affiliates; it represented State Street Bank and Trust

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Company as a member of the Official Committee of Creditors Holding Unsecured Claims in the Orange County Chapter 9 case; and it represented the City of Los Angeles in the Eastern Airlines, Pan American World Airways, Continental Airlines, Trans World Airlines (both cases), America West Airlines and Damson Oil Co. chapter 11 cases, which cases were pending in various bankruptcy courts across the United States, and San Francisco and San Diego airports in various bankruptcy related assignments. The Firm has also represented the Creditors' Committees in the Maxicare, Watts Health and numerous other health care related reorganizations. Attorneys at the firm have served as and represented bankruptcy or reorganization trustee or other fiduciaries in the matters of Oasis Petroleum, Producers Sales Organization and Financial Corporation of America, the parent of American Savings and Loan, Namvar, Medpartners, APX and Empire Land, each multi-million dollar bankruptcy court operations and/or liquidations. In addition, individual attorneys within the Firm have various areas of expertise, including qualification to serve as reorganization and liquidation counsel and administrators in all California bankruptcy, federal, district and state courts and out-of-court workouts; appellate matters; trustees' avoiding powers; and landlord/tenant relations with particular reference to those rights in bankruptcy.

The Firm has an on-going commitment to the advancement of the educational and professional skills of its members and is active in bar organizations involved in the bankruptcy and reorganization field, including the Financial Lawyers Conference, the Insolvency Committee of the Business Law Section of the California State Bar and the Los Angeles Bankruptcy Forum.

Biographical data with respect to each partner, of counsel, associate, staff attorney and paralegal assistant is contained in the following section.

DANNING, GILL, DIAMOND & KOLLITZ, LLP

ATTORNEY BIOGRAPHIES

1. Partners:

David A. Gill, a Professional Corporation. Mr. Gill was admitted to the California Bar in 1962. His educational background is as follows: University of California at Los Angeles (B.A., 1958); Stanford University (J.D., 1961). He is a member of the Century City, Beverly Hills and Los Angeles County Bar Associations (Chair of the Commercial Law and Bankruptcy Section 1984-85), American Bar Association (Member, Consumer Bankruptcy and Business Bankruptcy Committees, Section of Corporation, Banking and Business Law, 1976-date), the State Bar of California (Member, Committee on Debtor-Creditor Relations and Bankruptcy, 1976-1982) and an associate member of the Society of Professionals in Dispute Resolution. He is a Fellow of the American College of Bankruptcy and was named a "Southern California Super Lawyer" in 2004 and annually thereafter. Mr. Gill has specialized in representation of debtors and creditors in reorganization, and in administration of estates in receiverships and bankruptcies. He represents debtors in reorganizations, workouts and liquidations, and represents creditors and creditors committees, trustees and receivers. He frequently serves as an operating and liquidating trustee and receiver appointed by the United States District Court, the United States Trustee in the United States Bankruptcy Court and also by the Superior Court of the State of California, and is qualified as a Mediator in the Bankruptcy Court and U.S. District Court for the Central District of California. Mr. Gill is admitted to practice in these courts, various other federal courts, the Court of Appeals for the Ninth Circuit, and the Supreme Court of the United States. He has lectured and written on bankruptcy and receivership related matters. He is the author of "Personal Bankruptcy and Wage Earner Plans" (Calif. C.E.B. 1971) and co-editor of "Basic Bankruptcy", Matthew Bender, 1992.

Richard K. Diamond, a Professional Corporation. Mr. Diamond was admitted to the California Bar in 1976. His educational background is as follows: University of California, Berkeley (A.B. 1973); University of California, Los Angeles (J.D. 1976); Phi Beta Kappa; Order of the Coif. He is a member of the Beverly Hills and Los Angeles (Member of Bankruptcy Committee and Executive Committee, Section of Commercial Law and Bankruptcy) Bar Associations. He is a Fellow of the American College of Bankruptcy. Mr. Diamond is a member of the Business Law Section of the State Bar of California and served as the chair of its Debtor/Creditor Relations and Bankruptcy Committee (1990 and 1991). He is currently the President of the Los Angeles Bankruptcy Forum. He serves as a Chapter 7 Panel Trustee appointed by the United States Trustee for the Central District of California. Mr. Diamond has specialized in reorganization and insolvency matters during the entire period of his practice.

**DANNING, GILL, DIAMOND & KOLLITZ, LLP**

Howard Kollitz, a Professional Corporation. Mr. Kollitz was admitted to the California Bar in 1974. His educational background is as follows: University of California at Los Angeles (A.B. 1969; J.D. 1973). He is a member of the Century City, Los Angeles County and American Bar Associations, and the State Bar of California. During the period of his practice, Mr. Kollitz has specialized in the areas of bankruptcy, reorganization and insolvency, as well as related litigation.

Eric P. Israel, a Professional Corporation. Mr. Israel was admitted to the California bar in 1987. His educational background is as follows: He holds degrees from the University of California at Los Angeles (B.A., 1981) and Southwestern University (J.D., with honors, 1987). Member, Southwestern University Law Review. He is a member of the Financial Lawyers Conference, The California (Board Member), Los Angeles and Orange County Bankruptcy Forums, and the Century City, Los Angeles County (Commercial Law and Bankruptcy Section, Bankruptcy Committee), Beverly Hills and American Bar Associations. He has served as an editor of the California Bankruptcy Journal since 1998 and was special issue editor for the Special Trustee Issue (26 Cal. Bankr. J. vol. 26 (2002)); Mr. Israel currently serves as co-managing editor of the California Bankruptcy Journal. He is the Chairman of the Bankruptcy Committee of the Commercial Law and Bankruptcy Section of the L.A. County Bar Association (formerly Vice-chair and Secretary). He is a certified mediator through the Straus Institute for Dispute Resolution of the Pepperdine University School of Law and has served on the panel of mediators for the Bankruptcy Courts for the Central District of California from the inception of the mediation program in 1995 to the present. He has lectured and written on bankruptcy related matters. He authored the articles "Hints on Making the Most of Your Estate's Assets: Often Overlooked Methods to Maximize Equity", 26 Cal. Bankr. J. 199 (2002) and "Of Racketeers, RICO, the Enterprise-Separateness Issue and Chicken Little: What's Really Falling?" 17 Sw. L. Rev. 565 (1988).

John N. Tedford, IV, a Professional Corporation. Mr. Tedford was admitted to the California Bar in 1999. His educational background is as follows: University of Southern California (B.S., 1996); University of Southern California School of Law (J.D., 1999). Judicial Extern to the Honorable Kathleen P. March, Fall 1998 and Spring, 1999. Relief Law Clerk to the Honorable Alan M. Ahart, Ellen Carroll and Kathleen P. March, 1999-2001. Law Clerk to the Honorable Alan M. Ahart, 2001-2002. He is admitted to practice in the Central District of California. He is a member of the California State Bar Association, Los Angeles County Bar Association, Financial Lawyers Conference and the Los Angeles Bankruptcy Forum.

**DANNING, GILL, DIAMOND & KOLLITZ, LLP**

Uzzi O. Raanan, a Professional Corporation. Mr. Raanan was admitted to the California State Bar in 1992 and to the Washington, D. C. Bar in 1995. His educational background is as follows: San Diego State University (B.A., 1988); University of the Pacific, McGeorge School of Law (J.D., 1992). He is admitted to practice in the Central and Eastern Districts of California. Member of the California State Bar Association, Executive Committee of the Bankruptcy Section of the Beverly Hills Bar Association, Beverly Hills Bar Foundation Board of Directors, Los Angeles County Bar Association, Financial Lawyers Conference and the Los Angeles Bankruptcy Forum. Mr. Raanan is fluent in Hebrew.

George E. Schulman, a Professional Corporation. Mr. Schulman was admitted to the California Bar in 1975. He was admitted to the New York Bar in 1972. His educational experience is as follows: Queens College (B.A. 1968); New York University School of Law (J.D. 1971). He is a member of the Los Angeles County, American and New York Bar Associations, and a member of the State Bar of California. He is First Vice-Chair of the Antitrust and Trade Regulation Section of the Los Angeles County Bar Association. He is admitted to practice in all courts in California and New York, in the United States District Courts for the Central, Northern, Southern and Eastern Districts of California, the United States Court of Appeals for the Second, Ninth and Tenth Circuits, and the United States Supreme Court. He specializes in litigation, with a special emphasis on bankruptcy, insolvency and receivership. He has served as a Federal Court receiver and has been appointed as a Chapter 11 and Chapter 7 trustee by the United States Trustee.

Walter K. Oetzell, a Professional Corporation. Mr. Oetzell was admitted to the California Bar in 1983. His educational background is as follows: University of California at Los Angeles (B.A. 1978); University of California at Los Angeles (J.D. 1983), Summa Cum Laude, Phi Beta Kappa. He is admitted to practice in the Central, Southern, and Northern Districts of California and the Ninth Circuit Court of Appeals. Member of the California State Bar Association, Los Angeles County Bar Association, Financial Lawyers Conference, National Association of Utility Counsel, California Bankruptcy Forum, Los Angeles Bankruptcy Forum and the American Bar Association. He practices bankruptcy and commercial law with experience in utilities, telecommunication companies, and securitizations.



**DANNING, GILL, DIAMOND & KOLLITZ, LLP**

Steven J. Schwartz, a Professional Corporation. Mr. Schwartz was admitted to the New York Bar in 1997 and to the California Bar in 1999. His educational background is as follows: State University of New York at Binghamton (B.A., 1993); Hofstra University School of Law (J.D., 1996). Judicial Law Clerk to The Honorable Paul Mannes, Chief Judge, United States Bankruptcy Court for The District of Maryland, 1997; Judicial Law Clerk to The Honorable Lisa Hill Fenning, United States Bankruptcy Judge, Central District of California, 1999. He is admitted to practice in the Central District of California. He is a member of the California State Bar Association, Los Angeles County Bar Association, Financial Lawyers Conference and the Los Angeles Bankruptcy Forum.

2. Associates:

Aaron E. de Leest was admitted to the California Bar in 2001. His educational background is as follows: Biola University (B.A., 1998); Southwestern University School of Law (J.D., 2001). Judicial Extern to The Honorable Barry Russell, 2000. He is admitted to practice in the United States Court of Appeals for the Ninth Circuit, and the United States District Court, Northern and Central Districts of California. He is a member of the California State Bar Association, Los Angeles County Bar Association, Financial Lawyers Conference and the Los Angeles Bankruptcy Forum.

Michael G. D'Alba was admitted to the New Jersey State Bar in 2005 and to the California State Bar in 2009. His educational background is as follows: Princeton University (A.B., 1998); Rutgers University School of Law (J.D., 2005). He is admitted to practice in the Central District of California. He is a member of the California State Bar Association, Los Angeles County Bar Association, Financial Lawyers Conference and the Los Angeles Bankruptcy Forum.

Zev Shechtman was admitted to the California Bar in 2009. His educational background is as follows: University of California at Santa Cruz (B.A., 2003); New York University (M.A., 2006); University of Southern California School of Law (J.D., 2009). He is admitted to practice in the United States District Court, Central District of California. He is a member of the California State Bar Association, Los Angeles County Bar Association, Los Angeles Bankruptcy Forum and the Financial Lawyers Conference.

Kevin D. Meek was admitted to the California Bar in 2011. His educational background is as follows: Columbia University (B.A. 2007); University of California at Los Angeles (J.D. 2011). He is admitted to practice in the United States District Court, Central District of California.

DANNING, GILL, DIAMOND & KOLLITZ, LLP

3. Paralegals/Legal Assistants:

Yves-Pierre Derac is a senior bankruptcy and litigation paralegal who received his Bachelor of Science Degree from John Jay College of Criminal Justice, New York, New York and his Paralegal Specialist Certificate in Litigation and Corporate Transactions from Adelphi University, Long Island, New York. Mr. Derac also completed the first year curriculum at Thurgood Marshall School of Law at Texas Southern University in Houston, Texas. He has over 25 years' experience as a bankruptcy and litigation paralegal.

Valerie G. Radocay is a senior bankruptcy and litigation paralegal who received her paralegal certificate from the University of West Los Angeles in 1983. She holds specialized certificates in the litigation and real estate areas.

Cheryl A. Blair has worked as a Bankruptcy Trustee Administrator at Danning, Gill, Diamond & Kollitz, LLP since 1998. Prior to her arrival to the firm, Ms. Blair worked for seven years as a Paralegal Specialist at the Office of the United States Trustee in Los Angeles. Ms. Blair formerly served as President of the Trustee Administrators' Group (TAG).

Aracelli P. Panta is a bankruptcy paralegal who received her Bachelor of Arts degree from the University of California at Los Angeles in 1992 and her paralegal certificate from the University of California at Los Angeles' Extension Program in 1994.

EXHIBIT 2

**DANNING, GILL, DIAMOND & KOLLITZ, LLP**  
**YEAR 2014 SCHEDULE OF**  
**RATES FOR PROFESSIONALS**

<u>INITIALS</u>	<u>ATTORNEY NAME</u>	<u>HOURLY RATE</u>
DAG	David A. Gill	\$695.00
RKD	Richard K. Diamond	695.00
HK	Howard Kollitz	695.00
EPI	Eric P. Israel	595.00
JNT	John N. Tedford, IV	575.00
UOR	Uzzi O. Raanan	575.00
GES	George E. Schulman	650.00
WKO	Walter K. Oetzell	595.00
SJS	Steven J. Schwartz	525.00
AED	Aaron E. de Leest	465.00
MGD	Michael G. D'Alba	395.00
ZS	Zev Shechtman	345.00
KDM	Kevin D. Meek	295.00

**PARALEGALS/LEGAL ASSISTANTS/LAW CLERKS**

YPD	Yves-Pierre Derac (Senior Paralegal)	230.00
VGR	Valerie G. Radocay (Senior Paralegal)	230.00
CAB	Cheryl Blair	195.00
SP	Aracelli Panta	195.00

**EXHIBIT 3**

**2014 RATES FOR REIMBURSEMENT OF EXPENSES**

Reprographic Expense (Photocopy, Scan, Print).....\$ .20 per page  
Facsimile - Incoming .....\$ .20 per page  
Facsimile - Outgoing.....\$1.00 per page  
Mileage .....IRS Rate for Business Use (currently \$.56 per mile)  
Telephone.....Actual Cost  
Postage .....Actual Cost  
Messengers.....Actual Cost  
Overnight Mail.....Actual Cost  
On-line Computer Research.....Actual Cost  
Filing Fees.....Actual Cost  
Deposition or Witness Fees .....Actual Cost  
Parking .....Actual Cost

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1900 Avenue of the Stars, 11th Floor, Los Angeles, CA 90067-4402.

A true and correct copy of the foregoing document entitled (*specify*): CHAPTER 7 TRUSTEE'S NOTICE OF APPLICATION AND APPLICATION TO EMPLOY DANNING, GILL, DIAMOND & KOLLITZ, LLP AS GENERAL BANKRUPTCY COUNSEL; AND STATEMENT OF DISINTERESTEDNESS will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On June 20, 2014, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:** On June 19, 2014, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page.

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on June 20, 2014, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY ON JUNE 23, 2014  
The Honorable Thomas B. Donovan  
U.S. Bankruptcy Court  
Roybal Federal Building  
Bin outside of Suite 1352  
255 E. Temple Street  
Los Angeles, CA 90012-3332

☒ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

June 20, 2014  
Date

Cindy Cripe  
Printed Name

  
Signature

ADDITIONAL SERVICE INFORMATION (if needed):

**1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")**

Attorney for Debtor: Jon L Dalberg jdalberg@lgbfirm.com,  
ncereseto@lgbfirm.com;marizaga@lgbfirm.com; levans@lgbfirm.com  
Attorney for Creditor RP WIP LA Med Office Lender L.L.C Daniel Denny  
ddenny@gibsondunn.com  
Attorney for Chapter 7 Trustee: David Gill dag@dgdk.com,  
DanningGill@gmail.com;dgill@ecf.inforuptcy.com  
Chapter 7 Trustee: John J Menchaca (TR) jmenchaca@menchacacpa.com, ca87@ecfcbis.com;  
igaeta@menchacacpa.com  
Attorney for Creditor RP WIP LA Med Office Lender L.L.C: Samuel A Newman  
snewman@gibsondunn.com  
Attorney for Chapter 7 Trustee: Uzzi O Raanan uor@dgdk.com, DanningGill@gmail.com;  
uraanan@ecf.inforuptcy.com  
United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov

**2. SERVED BY U.S. MAIL**

<u>Debtor</u>	<u>Debtor's Attorney</u>	<u>Trustee</u>
House Research Institute, a California nonprofit public benefit corporation 2100 W. 3rd St. Los Angeles, CA 90057	Jon L. Dalberg, Esq. Landau Gottfried & Berger LLP 1801 Century Pk East, Ste. 700 Los Angeles, CA 90067	John J. Menchaca (TR) 835 Wilshire Blvd., Suite 300 Los Angeles, CA 90017

**LIST OF 20 LARGEST UNSECURED CREDITORS**

Blakely, Sokoloff, Taylor & ZAFM 12400 Wilshire Boulevard Seventh Floor Los Angeles, CA 90025	Childrens Tumor Foundation 95 Pine Street, Floor 16 New York, NY 10005-3904	City National Bank Credit Card Processing Center File 1365 Pasadena, CA 91199-1355
Cochlear Americas P O Box 910811 Denver, CO 80291-0811	Epic Hearing Healthcare 3191 W Temple Avenue, Suite 200 Pomona, CA 91768	Fisher Scientific FILE # 50129 Acct # 370830-001 Los Angeles, CA 90074-0129
Fujitec America Inc. c/o Cates Peterson LLP 4100 Newport Place Suite 230 Newport Beach, CA 92660	Galloway P O Box 3212 Spartanburg, SC 29304-3212	Gates Capital Attn: Municipal Finance Dept 100 Park Ave 22nd Floor New York, NY 10017
Hearing Health Foundation 363 Seventh Avenue 10th Floor New York, NY 10001-3904	Metro Service South 413 NW 69th Street Vancouver, WA 98668	NF2 Advocure Inc. 1874 Greenhill Drive Clearwater, FL 33758-2206
Novartis Pharmaceuticals Corp OTM RESEARCH ALLIANCE USEH 335 310 E One Health Plaza East Hanover, NJ 07936-1080	O Ray 2285 E Foothill Blvd Pasadena, CA 91107	Quality Systems Inc / Nextgen P O Box 511449 Los Angeles, CA 90051
Saint Vincent Medical Center 2100 West Third Street Los Angeles, CA 90057	Supreme Graphics Inc. 3403 Jack Northrop Ave Hawthorne, CA 90250	Westone Laboratories Inc. P O Box 15100 Colorado Springs, CO 80935



Wilshire Blvd Temple Camp  
3663 Wilshire Blvd.  
Attn: Rose Livae  
Los Angeles, CA 90010-2798

Xerox Capital Services LLC  
P O Box 7405  
Pasadena, CA 91109-7405